

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

THE BARTER HOUSE, INC.,
BRIAN DIMARCO,
Plaintiffs,

-against-

INFINITY SPIRITS LLC, a limited
liability company;
DON GOOD TEQUILA COMPANY,
LLC, a limited liability company;
EUROPEAN INFINITY GROUP INC., a
corporation; and
BRIAN HOPKINS, an individual,
Defendants.

Civil Action No.: 1:17-cv-09276-PAE

Honorable Paul A.
Engelmayer United States
District Judge

ORDER

PAUL A. ENGELMAYER, District Judge:

Upon being advised by the parties that the asserted claims had been settled in principle, the Court previously ORDERED on February 17, 2021 that the above-entitled action is dismissed and discontinued without costs, and without prejudice to the right to reopen the action within 45 days of the date of that Order if the parties' settlement was not consummated (Dkt. 443). Further, upon a request by the parties for an extension of the time to consummate the settlement, the Court ORDERED on April 1, 2021 that the parties right to reopen the action be extended until April 20, 2021 (Dkt. 446).


The parties have now submitted a Stipulation of Dismissal With Prejudice and Vacating the Defaults and moved the Court for an Order dismissing all claims with prejudice and vacating the defaults previously entered against defendants Don Good Tequila Company, LLC ("DG"), Infinity Spirits LLC ("Infinity") and European Infinity Group Inc. ("EIG"). In accordance with the consent motion filed by Plaintiffs, the Court hereby ORDERS:

(1) that this action be DISMISSED WITH PREJUDICE with all Parties bearing their own costs;

(2) that the Default Judgment entered against Don Good Tequila Company, LLC on August 3, 2018 (Dkt. No. 85) is VACATED; and

(3) that the Default Judgment entered against Infinity Spirits LLC and European Infinity Group Inc. on April 14, 2020 (Dkt. 340) is VACATED.

SO ORDERED.



PAUL A. ENGELMAYER
United States District Judge

Dated: April 26, 2021
New York, New York